

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>MARLIN LUSTGRAAF,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>SUNSET FINANCIAL SERVICES, INC.,</b> <b>and BRYAN S. BEHRENS,</b>  <b>Defendants.</b>	<b>CASE NO. 8:08CV335</b>  <b>ORDER</b>
<b>JEAN POOLE and DEE POOLE,</b> <b>Trustees of the Poole Family Trust,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>SUNSET FINANCIAL SERVICES, INC.,</b> <b>and BRYAN S. BEHRENS,</b>  <b>Defendants.</b>	<b>CASE NO. 8:08CV399</b>  <b>ORDER</b>
<b>MILO VACANTI,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>SUNSET FINANCIAL SERVICES, INC.,</b> <b>and BRYAN S. BEHRENS,</b>  <b>Defendants.</b>	<b>CASE NO. 8:08CV436</b>  <b>ORDER</b>
<b>WILLIAM GREEN and JANN GREEN,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>SUNSET FINANCIAL SERVICES, INC.,</b> <b>and BRYAN S. BEHRENS,</b>  <b>Defendants.</b>	<b>CASE NO. 8:09CV13</b>  <b>ORDER</b>

<b>MILO VACANTI,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>SUNSET FINANCIAL SERVICES, INC.,</b> <b>and BRYAN S. BEHRENS,</b>  <b>Defendants.</b>	<b>CASE NO. 8:09CV44</b>    <b>ORDER</b>
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This matter is before the Court on the Plaintiffs' Motions to Dismiss the Appeal Filed by Sunset Financial Services, Inc., and Motion to Set an Expedited Briefing Schedule (Case No. 8:08CV335, Filing No. 303; Case No. 8:08CV399, Filing No. 298; Case No. 8:08CV436, Filing No. 288; Case No. 8:09CV13, Filing No. 271; Case No. 8:09CV44, Filing No. 211). Defendant Sunset Financial Services, Inc. ("SFS"), has appealed the bankruptcy judge's Report and Recommendation and Order withdrawing the reference of the above captioned actions to the bankruptcy court and severing its third-party claims and counterclaims against Plaintiff William Green. The Plaintiffs seek the dismissal of SFS's appeal,<sup>1</sup> and request an expedited briefing schedule with respect to their Motions to Dismiss. Accordingly,

**IT IS ORDERED:**

1. The Motions to Set an Expedited Briefing Schedule are granted, as follows:
  - a. SFS shall respond to the Plaintiffs' Motions to Dismiss on or before December 17, 2012;

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<sup>1</sup> Hereinafter, the Plaintiffs' requests for dismissal of the SFS's appeal are referred to as their "Motions to Dismiss."

- b. The Plaintiffs shall reply to SFS's response to the Motions to Dismiss on or before December 27, 2012; and
- 2. Briefs with respect to SFS's appeal will not be requested at this time. A briefing schedule will be set, if necessary, after the Court rules on the Plaintiffs' Motions to Dismiss.

Dated this 3<sup>rd</sup> day of December, 2012.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge